

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard L. Frank, Michael J. Cusson, Joydip Kundu and Daniel E. O'Shaughnessy

Application No.: 09/321,967

Group Art Unit: 2126

Filed: May 28, 1999

Examiner: Li B. Zhen

Confirmation No.: 7319

Title: PROVIDING FIGURE OF MERIT VOTE FROM APPLICATION EXECUTING ON A
PARTITIONED CLUSTER

CERTIFICATE OF MAILING OR TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or is being facsimile transmitted to the United States Patent and Trademark Office on:	
1-24-05 Date	<i>[Signature]</i> Signature
Amy Green Typed or printed name of person signing certificate	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This Information Disclosure Statement is submitted:

☐ under 37 CFR 1.129(a), or
(First/Second submission after Final Rejection)

☐ under 37 CFR 1.97(b), or
(Within any one of the following time periods: three months of filing national application (other than a CPA) or date of entry of the national stage in an international application; or before the mailing date of a first office action on the merits in a non-provisional application, including a CPA, or a Request for Continued Examination).

☒ under 37 CFR 1.97(c) together with either:

☐ a Statement under 37 CFR 1.97(e), as checked below, or

☒ a \$180.00 fee under 37 CFR 1.17(p), or
(After the 37 CFR 1.97(b) time period, but before final action or notice of allowance, whichever occurs first)

☐ under 37 CFR 1.97(d) together with:

☐ a Statement under 37 CFR 1.97(e), as checked below, and

☐ a \$180.00 fee under 37 CFR 1.17(p), or
(Filed after final action or notice of allowance, whichever occurs first, but on or before payment of the issue fee)

☐ under 37 CFR 1.97(i):
Applicant requests that the IDS and cited reference(s) be placed in the application filewrapper.

01/28/2005 FHEK11 0000049 09321967

180.00 DP

FC:1806

01/28/2005 FHEK11 0000049 09321967

(Filed after payment of issue fee)

Statement Under 37 CFR 1.97(e)

- ☐ Each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
- ☐ No item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

Statement Under 37 CFR 1.704(d) (Patent Term Adjustment)

Applies to original applications (other than design) filed on or after May 29, 2000

- ☐ Each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in § 1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.
- ☒ Enclosed herewith is form PTO-1449:
- ☐ Copies of the cited references are enclosed.
- ☒ Copies of issued U.S. patents and published U.S. applications are not required and are not being provided.
- ☐ Copies of the cited references are enclosed except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed. [The earlier application contains copies of the cited references.]
- ☐ The listed references were cited in the enclosed International Search Report in a counterpart foreign application.
- ☐ The "concise explanation" requirement (non-English references) for reference(s) [] under 37 CFR 1.98(a)(3) is satisfied by:
- ☐ the explanation provided on the attached sheet.
- ☐ the explanation provided in the Specification.
- ☐ submission of the enclosed International Search Report.
- ☐ submission of the enclosed English-language version of a foreign Search Report and/or foreign Office Action.
- ☐ the enclosed English language abstract.

☐ Applicant requests that the following non-published pending applications be considered:

Examiner's
Initials

____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []
____ U.S. Patent Application No. [], by [inventor(s)], filed [], Docket No.: []

Examiner

Date

- ☐ A copy of each above-cited application, including the current claims, is enclosed, except any application filed on or after June 30, 2003, which has been scanned into the PTO's Image File Wrapper (IFW) system and is available to the examiner.
- ☐ A copy of each above-cited application, including the current claims, is enclosed, except those entered in prior application, U.S. Application No. [], to which priority under 35 U.S.C. 120 is claimed.

The Examiner is requested to return a copy of the above list of pending applications indicating which references were considered with the next office communication.

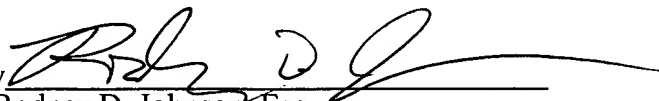
It is requested that the information disclosed herein be made of record in this application.

Method of payment:

- ☒ A check for the fee noted above is enclosed, or the fee has been included in the check with the accompanying Reply. A copy of this Statement is enclosed.
- ☐ Please charge Deposit Account 08-0380 in the amount of \$[]. A copy of this Statement is enclosed.
- ☒ Please charge any deficiency in fees and credit any overpayment to Deposit Account 08-0380.

Respectfully submitted,

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.

By 
Rodney D. Johnson, Esq.
Registration No.: 36,558
Telephone: (978) 341-0036
Facsimile: (978) 341-0136

Concord, MA 01742-9133

Dated: *January 27, 2005*

OID-1999-35-05

PTO-1449 REPRODUCED		ATTORNEY DOCKET NO. 1958.1024-000		APPLICATION NO. 09/321,967	
SUPPLEMENTAL INFORMATION DISCLOSURE CITATION IN AN APPLICATION January 24, 2005 (Use several sheets if necessary)		FIRST NAMED INVENTOR Richard L. Frank		FILING DATE May 28, 1999	
		EXAMINER Li B. Zhen		CONFIRMATION NO. 7319	
				GROUP 2126	

U.S. PATENT DOCUMENTS

EXAM- INER INI- TIAL	REF. NO.	DOCUMENT NUMBER Number-Kind Code (if known)	ISSUE DATE / PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	AE3	5,315,657	05-24-1994	Abadi, <i>et al.</i>
	AF3	5,371,852	12-06-1994	Attanasio, <i>et al.</i>
	AG3	5,633,999	05-27-1997	Clowes, <i>et al.</i>
	AH3	5,915,095	06-22-1999	Miskowiec
	AI3	5,964,838	10-12-1999	Cheung, <i>et al.</i>
	AJ3	5,996,075	11-30-1999	Matena
	AK3	6,073,218	06-06-2000	DeKoning, <i>et al.</i>
	AA4	6,108,699	08-22-2000	Moiin
	AB4	6,151,688	11-21-2000	Wipfel, <i>et al.</i>
	AC4	US 6,279,032 B1	08-21-2001	Short, <i>et al.</i>
	AD4	US 6,308,273 B1	10-23-2001	Goertzel, <i>et al.</i>
	AE4	US 6,353,898 B1	03-05-2002	Wipfel, <i>et al.</i>
	AF4	US 6,360,331 B2	03-19-2002	Vert, <i>et al.</i>
	AG4	US 6,393,485 B1	05-21-2002	Chao, <i>et al.</i>
	AH4	US 6,427,163 B1	07-30-2002	Arendt, <i>et al.</i>
	AI4	US 6,438,705 B1	08-20-2002	Chao, <i>et al.</i>
	AJ4	US 6,446,219 B2	09-03-2002	Slaughter, <i>et al.</i>
	AK4	US 6,453,426 B1	09-17-2002	Gamache, <i>et al.</i>
	AA5	US 6,587,860 B1	07-01-2003	Chandra, <i>et al.</i>

EXAMINER	DATE, CONSIDERED
----------	------------------

[illegible]

@PFDesktop\::ODMA/MHODMA/HBSR05;iManage;507569;1